



Ministry of Commerce of the People's Republic of China

中华人民共和国商务部



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Measures for Administration of the Pollution Control of Electronic Information Products

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Chapter I General Principles

Article 1 For the purposes of controlling and reducing the pollution caused by the discarded electronic information products, promoting the production and sales of low-pollution electronic information products and protecting the environment and human health, these measures are formulated in accordance with Cleaner Production Promotion Law of the People's Republic of China and Law of the People's Republic of China for Preventing and Remedying Pollution Caused by Solid Wastes and other relative laws and administrative rules.

Article 2 These measures are applicable to Controlling and Reducing the environmental pollution and other public hazard caused by electronic information products during

the period of producing, selling and importing electronic information products, except for the production of the exported products, within the territory of the People's Republic of China.

Article 3 The implication of the following terms in these Measures are:

(1) Electronic information products refers to electronic radar products, electronic communication products, broadcast and television products, computer products, household electronic products, electronic measurement instrument products, security products for electron, electronic component products, electronic application products, electronic material products, and other relative products and their accessory parts.

(2) Pollution caused by electronic information products refers to electronic information products contains toxic, harmful substances or elements, or the toxic, harmful substances or elements contained in the electronic information products is above the standard of the state or industry and have caused damage, injury, waste or other harmful effects on the environment, resource, human health and property safety.

(3) Pollution control of electronic information products refers to following measures in order to reduce or eliminate the toxic, harmful substances or elements contained in electronic information products:

1. During the process of design and production, change the research and design plan, readjust process flow, change the materials to be used, renovate production mode and take other technical measures;

2. During the process of design, production, sale and import, indicate the names and the contents of toxic or harmful substances or elements, indicate the environment-friendly use period of electronic information products;

3. During the process of sale, strictly control the purchase channels, reject selling the electronic information products which do not accord with the standard of the state and industry for controlling toxic or hazardous substances or elements caused by electronic information products;

4. It is forbidden to import the electronic information products which do not accord with the standard of the state or industry for controlling toxic or hazardous substances or elements caused by electronic information products; and

5. Other measures for pollution control as stipulated in these measures.

(4) Toxic or harmful substances or elements refers to the following substances or elements contained in the electronic information products:

1. Lead
2. Mercury
3. Cadmium
4. Hexavalent Chromium
5. Polybrominated Biphenyls (PBB)
6. Polybrominated Diphenyl Ethers (PBDE)
7. Other toxic or harmful substances or elements prescribed by the State

(5) Environment-friendly use period of electronic information products refers to the period during which the

toxic and harmful substances or elements contained in electronic information products will not leak or mutate. The electronic information products will not cause serious environmental pollution and serious damage to human health and property while the consumers of electronic information products are using the products.

Article 4 The Ministry of Information Industry of the People's Republic of China (MII), the National Development and Reform Commission (NDRC), the Ministry of Commerce of the People's Republic of China (MOC), the General Administration of Customs of the People's Republic of China (GAC), the State Administration for Industry & Commerce (SAIC), the General Administration of Quality Supervision, Inspection and Quarantine (AQSIQ), and the State Environmental Protection Administration of China (SEPA) shall administer and supervise the pollution control of electronic information products within the scope of their official duty. If necessary, above competent administrations shall establish coordinative mechanism to solve the important issues relating to the pollution control of electronic information products.

Article 5 MII shall draw up the measures beneficial to the pollution control of electronic information products through consultation with the relevant competent administrations of the State Council.

MII and other relevant competent administrations of the State Council shall, within the scope of their official duty, promote the technology of the pollution control of electronic information products and comprehensive

utilization of the resources, encourage and support scientific research, technical development, and international cooperation on the pollution control of electronic information products, implement the relevant rules on the pollution control of electronic information products.

Article 6 MII may provide certain support to the organizations and individuals actively involved in the research and development of new types of environment-friendly electronic information products.

Article 7 All competent administrations for information industry, development and reformation, business affairs, customs, industry and commerce, quality inspection, environmental protection of the provinces, autonomous regions and municipalities directly under the Central government shall, within the scope of their official duty, administer and supervise the pollution control of the manufacture, import and sale of electronic information products. If necessary, the above administrations shall establish regional cooperative mechanism for pollution control of electronic information products, perform unified coordination and division of responsibility.

Article 8 The administrations for information industry of the provinces, autonomous regions, and municipalities directly under the Central government may commend and reward the organizations and individuals with outstanding achievements in their work and relevant activities on the pollution control of electronic information products.

Chapter 2 Pollution Control of Electronic Information Products

Article 9 While designing electronic information products, an electronic information product designer shall adopt the plan of non toxin, harmless, or low-toxin, low-harm, easy degradation and convenient for recycle on the basis of meeting the requirements of the technology and complying with national standard or industrial standard for controlling the toxic and harmful substances or elements caused by electronic information products.

Article 10 While producing or manufacturing electronic information products, the manufacturer shall accord with national or industrial standards for controlling toxic or harmful substances or elements of electronic information products, using the materials, technology, and processes that have high utilization ratio, are recycled easily and good for environmental protection.

Article 11 The environment-friendly use period of electronic information products is determined by the manufacturer or importer. A manufacturer or an importer shall indicate the environment-friendly use period on the electronic information products they produced or imported. The environment-friendly use period should be indicated in the user's manual if the indication can't be made on the product due to the limitation of the size or function of the product.

The styles and methods of the indication prescribed in above paragraph shall be stipulated uniformly by the MII through the consultation with relevant competent administration of the State Council. The styles and methods of the indication shall accord with the national or industrial standards for controlling toxic or harmful

substances or elements caused by electronic information products.

The corresponding industrial organizations may put forward guiding ideas on the environment-friendly use period of electronic information products according to the status of technological development.

Article 12 The MII encourages corresponding industrial organizations to submit their guiding ideas on the environment-friendly use period of electronic information products to the MII.

Article 13 A manufacturer or importer of electronic information products shall give indications on the toxic, harmful substances or elements contained in the electronic information products they put into the market, such as the names, contents, and on which part as well as the information about recycle of toxic or hazardous substances or elements, and recyclability, etc. The indications should be given in the user's manual if they can't be made on the product due to the limitation of the size or function of the product.

The style and method of the indications as prescribed in above paragraph shall be stipulated uniformly by the MII through consultation with the relevant competent administration of the State Council. The style and method shall accord with the national or industrial standard for controlling toxic, harmful substances or elements caused by electronic information products.

Article 14 An electronic information product manufacturer or importer shall use the materials that are non-toxin, non-harmful, easy degradation and convenient to be

recycled according to the national or industrial standard for controlling toxic, harmful substances or elements caused by electronic information products while producing and using the packing for electronic information products. An electronic information product manufacturer or importer shall give indications of the name of the packing material on the packing of the electronic information products they produced or imported. The indication shall be given in the user's manual if the indication could not be given on the packing due to the limitation of the size and exterior surface.

The styles and methods of the indication as prescribed in above paragraph shall be stipulated uniformly by the MII through the consultation with relevant competent administration of the State Council. The style and method of the indication shall accord with the national or industrial standard for controlling toxic, harmful substances or elements caused by electronic information products.

Article 15 An electronic information product seller shall control the purchase channel strictly and shall not sell the electronic information products that do not accord with the national or industrial standard for controlling toxic or harmful substances or elements caused by electronic information products.

Article 16 Imported electronic information products shall accord with the national or industrial standard for controlling toxic or harmful substances or elements caused by electronic information products.

Article 17 The MII shall draw up the industrial standard for controlling toxic, harmful substances or elements caused

by electronic information products through consultation with the SEPA.

The MII shall draft the national standard for controlling toxic, harmful substances or elements caused by electronic information products through the consultation with Standardization Administration of China (SAC).

Article 18 The MII shall draw up, readjust the key administered catalogue of pollution control of electronic information products through consultation with the NDRC, the MOC, the GAC, the SAIC, the AQSIQ, and the SEPA.

The key administered catalogue of pollution control of electronic information products consists of electronic information products lists, categories of toxic or harmful substances or elements restricted for use and the environment-friendly use period. The catalogue shall be revised annually according to the requirements of the actual circumstances and the level of scientific technical development.

Article 19 Certification and Accreditation Administration of the People's Republic of China (CNCA) enforces compulsory product certification administration on the electronic information products listed in the key administered catalogue of pollution control of electronic information products.

Exit-Entry Inspection and Quarantine authorities shall carry out port verification and inspection of goods received for the imported electronic information products in accordance with law. The Customs shall go through the clearance formalities by the Clearance Form of Entry Commodities issued by Exit-Entry Inspection and

Quarantine authorities.

Article 20 In addition to the rules as prescribed in these measures, the electronic information products subject to the Catalogue shall also meet the requirements for key pollution control as prescribed in the Catalogue.

The electronic information products that are not listed in the Catalogue shall accord with other provisions in these measures relating to pollution control caused by electronic information products.

Article 21 According to the actual circumstances of industrial development, the MII shall, through consultation with the MOC, GAC, SAIC, AQSIQ, and the SEPA, publish the implementation period in which the electronic information products listed in the Catalogue should not contain toxic, harmful substances or elements.

Chapter 3 Penalty Provisions

Article 22 Whoever violates these measures in one of the following circumstances shall be punished by the Customs, the administrations for industry and commerce, quality inspection, environmental protection and etc within the scope of their own official duty:

(1) An electronic information product manufacturer violates Article 10 of these measures to use the materials, technologies, and processes that do not accord with the national or industrial standard for controlling toxic, harmful substances or elements caused by electronic information products;

(2) An electronic information product manufacturer and importer violate the provision of Article 14, Section 1 of these measures to produce or use the packing for

electronic information products that do not accord with the national or industrial standard for controlling toxic, harmful substances or elements caused by electronic information products;

(3) An electronic information product seller violates Article 15 of these measures to sell electronic information products that do not accord with the national or industrial standard for controlling toxic, harmful substances or elements caused by electronic information products;

(4) An electronic information product importer violates the provision of Article 16 of these measures to import electronic information products that do not accord with the national or industrial standard for controlling toxic, harmful substances or elements caused by electronic;

(5) An electronic information product producer, seller or importer violates the provisions of Article 21 of these measures, within the implementation period, to produce, sell or import the electronic products that the contents of toxic, harmful substances or elements are above the national or industry standard for controlling toxic, harmful substances or elements caused by electronic information products; or

(6) An electronic information product importer violates the provisions relating import administration of these measures to import electronic information products.

Article 23 Whoever violates the provisions of these measures in one of the following circumstances shall be punished by the administrations for industry and commerce, quality inspection, environmental protection and etc. within the scope of their own official duties

according to law.

(1) An electronic information product manufacturer or importer violates the provision of Article 11 of these measures not to indicate the environment-friendly use period of electronic information products;

(2) An electronic information product manufacturer or importer violates the provision of Article 13 of these measures not to explicitly indicate the names, contents, and which part of toxic, harmful substances or elements caused by the electronic information products, and as well as the recyclability of products; or

(3) An electronic information product manufacturer or importer violates the provision of Article 14, Section 2 of these measures not to explicitly indicate the contents of packaging material of the electronic information products.

Article 24 Any governmental employees, who abuse their power, practice favoritism and engage in irregularities, connive at or shield the activities violating the provisions as prescribed in these measures, or help the persons who violates the provisions as prescribed in these measures to escape from the investigation, shall be given administrative sanctions in accordance with law.

Chapter 4 Supplementary Provisions

Article 25 Any organization or individual may inform against an designer, producer, importer or seller who cause pollution of electronic information products to the MII or the competent administrations for the information industry of the provinces, autonomous regions and municipalities directly under the Central government.

Article 26 These measures shall be interpreted by the MII

through the consultation with the NDRC, MOC, GAC, SAIC, AOSIQ, and SEPA.

Article 27 These measures shall come into effect as of March 1, 2007.

(All information published in this website is authentic in [Chinese](#). English is provided for reference only.)
